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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,231	01/11/2002	Masaki Nakano	03500.016103	4817
5514	7590	07/26/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			RICHER, AARON M	
			ART UNIT	PAPER NUMBER
			2628	

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/042,231	NAKANO, MASAKI	
	Examiner	Art Unit	
	Aaron M. Richer	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 June 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 15-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed June 7, 2006 have been fully considered but they are not persuasive.
2. As to claims 1 and 15-20, applicant argues that page 22, lines 18 and 19 as well as page 21, lines 19-20 provide a written description of "wherein control means can display the first image, the second image, and the third image, respectively, in different sizes", obviating examiner's 112, 1st paragraph rejection. Page 22, lines 18-19 simply describe reduction ratio for the "both images", not that each can be reduced separately. Examiner is not arguing that figures 2, 4, 5, and 7 limit the invention by virtue of only showing similar reduction ratios. However, there is no disclosure in the entire specification, implicit or explicit, of reduction ratios adjusted independently, and the vague recitation of reduction ratios of "the both images" is not reasonably conveying to one skilled in the art that applicant had possession of an invention that displayed multiple images in different sizes. Page 21, lines 19-20 point out that separate resolution converters can be used, but not in the context of *multiple reduction ratios*. One skilled in the art would interpret the separate resolution converters to simply be reducing multiple images by the same ratios in light of the remainder of the specification and the drawings.
3. As to the arguments against 103 rejections of claims 1, 19, and 20, new rejections have been applied to the amended claims, and so the arguments are moot.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1 and 15-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1 recites the limitation "wherein said control means can display the first image, the second image, and the third image, respectively, in different sizes". Claims 19 and 20 recite similar limitations.

6. According to remarks filed July 21, 2005, support for this limitation is found in p. 22, lines 22-23 of the specification. Examiner respectfully disagrees with this assessment. This disclosure states that "a reduction ratio for *the both images* and the trimming quality may be changed" (emphasis added). While this clearly discloses a varying reduction ratio, there is nothing in the disclosure to imply that the reduction ratios may be changed for each image *independently*. In view of the context of the rest of the specification, disclosing a reduction ratio that can be changed for *the both images* implies that the reduction ratio can be changed for *the both images* together, not each image separately. It is further noted that the entire remainder of the specification, and all of the figures, describe an embodiment of the invention where the reduction ratios of both images are adjusted together.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 15-17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suga (U.S. Patent 6,791,624) in view of Yokoyama (U.S. Patent 6,449,018).

9. As to claims 1, 19, and 20, as best understood, Suga discloses an image processing apparatus comprising:

multiscreen synthesis means for composing one screen by arranging plural images in the one screen (fig. 10-11; col. 8, lines 25-44; col. 9, lines 13-18; col. 11, lines 22-27);

image quality adjustment value storage means for storing image quality adjustment values for plural kinds of image quality adjustment processes (fig. 1, element 110; fig. 8-9; col. 9, line 55-col. 10, line 13);

image quality adjustment process means for executing the image quality adjustment processes for plural images on the basis of the image quality adjustment values stored in said image quality adjustment value storage means (col. 9, lines 37-49; col. 10, lines 13-23); and

control means for converting an input image into a first image to which an image quality adjustment process is executed by said image quality adjustment process means on the basis of an image quality adjustment value which is determined in

advance before performing an image quality adjustment operation stored in said image quality adjustment value storage means (col. 9, lines 37-65; col. 10, lines 13-23; col. 4, lines 34-47), and similarly for converting the input image into a second image to which an image quality adjustment process is executed by said image quality adjustment means on the basis of an image quality adjustment value for newly performing an adjustment operation, and then for displaying the converted first and second images and a pre-conversion third image on one screen with an arranged state by said multiscreen synthesis means (col. 9, lines 37-42; col. 4, lines 34-47; col. 8, line 64-col. 9, line 3 and col. 11, lines 22-27; also see col. 8, lines 33-38 for a pre-conversion “default” third image),

wherein the image quality adjustment value which is determined in advance is a value which is not updated in the adjustment operation (values shown in fig. 8 are determined in advance; col. 8, lines 50-63; col. 10, lines 5-13; the values are described as “current set values” not adjusted values),

Suga does not disclose an apparatus wherein said control means can display multiple images with respective sizes different from each other. Yokoyama, however, discloses a split screen wherein respective sizes of images can differ (fig. 3b-3c; also see col. 3, lines 2-5 for disclosure of more than two images on a screen). The motivation for this is to give priority to a “main” image (col. 1, lines 38-56). It would have been obvious to one skilled in the art to modify Suga to show different images at different sizes in order to give priority to a main image as taught by Yokoyama.

10. As to claim 15, Suga discloses an apparatus further comprising image reduction means for reducing the input image, wherein said multiscreen synthesis means composes the one screen by arranging the plural images reduced by said reduction means (col. 4, lines 34-47, col. 7, lines 47-61, col. 8, lines 45-col. 9, line 4).

11. As to claim 16, Suga discloses an apparatus further comprising trimming means for trimming a part of the input image, wherein said multiscreen synthesis means composes the one screen by arranging the plural images trimmed by said trimming means (col. 4, lines 34-47, col. 7, lines 47-61, col. 8, lines 45-col. 9, line 4).

12. As to claim 17, Suga discloses an apparatus wherein the image quality adjustment value which is determined in advance before performing the image quality adjustment operation is a value which was previously set at a time of manufacturing of said apparatus (col. 9, lines 56-65).

13. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suga in view of and further in view of Matsuzaki (U.S. Patent 6,492,982).

14. As to claim 18, Suga discloses an apparatus wherein the image quality adjustment value includes the image quality adjustment value of each of lightness, contrast, hue, and sharpness (fig. 8-9). Neither Suga nor Yokoyama expressly discloses an apparatus wherein the image quality adjustment value includes chromaticity and RGB balances. Matsuzaki, however discloses these image quality adjustment values with motivation being to enhance image display (fig. 20; col. 11, lines 26-45). It would have been obvious to one skilled in the art to modify Suga in view of

Yokoyama to adjust chromaticity and RGB balances in order to enhance image quality as taught by Matsuzaki.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Richer whose telephone number is (571) 272-7790. The examiner can normally be reached on weekdays from 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AMR
7/21/06



KEE M. TUNG
SUPERVISORY PATENT EXAMINER